

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated April 7, 2011. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-9 and 21-31 are pending in the Application. Claim 1 is a sole independent claim.

In the Office Action, claim 6 is rejected under 35 U.S.C. §112, second paragraph. In response, claims 1 and 6 are amended to correct the indefiniteness pointed out by the Examiner. Accordingly, it is respectfully submitted that the rejected claims are now definite and, thus, overcome this rejection. An indication to that effect is respectfully requested.

In the Office Action, claims 1, 2, 5-9 and 21-31 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2001/0017759 to Marmaropoulos ("Marmaropoulos ") in view of U.S. Patent No. 4,703,521 to Asher ("Asher"). Claims 3 and 4 are rejected under 35 U.S.C. §103(a) over Marmaropoulos in view of Asher and further in view of U.S. Patent No. 6,360,615 to Smela ("Smela"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-9 and 20-31 are allowable over Marmaropoulos, Asher, and Smela for at least the following reasons.

In Response to Arguments of the Office Action, the Examiner argues that stretching is a mechanical interaction and that "[t]he actuator (grip) translates the mechanical interaction (stretching) by including markings that translate (explain) the mechanical interaction (see Figures 3 and 4)." Apparently this is directed to the use of words

"translates that interaction" in the response to the previous Office Action, where the claimed conversion of the mechanical interaction with a specific area of the material that is converted by the actuator was argued. The verb "translates" was used as an explanation of the claimed term "converting the mechanical interaction" not as an explanation of signage. Marmoropoulos does not teach, disclose, or suggest "material including at least one area for converting a mechanical interaction therewith into at least one electronic signal related to the at least one area", as recited in claim 1, for example.

Similarly, the previously recited term "translating the mechanical interaction" refers to converting the mechanical interaction not to explaining the signage on the actuator. Accordingly, claim 1 was amended to substitute the term converting for the previously used translating. Marmoropoulos does not teach, disclose, or suggest "an actuator for converting the mechanical interaction with the at least one area of the conductive elastomeric material", as recited in claim 1.

In its Abstract of Marmoropoulos states that:

... the electrical resistance of each cord decreasing in accordance with an increase in tension applied to the cord; pulling one cord increases the volume of the radio and pulling the other cord decreases the volume.

In paragraph 0023 Marmoropoulos describes the "[c]ontrol cords 40, 42 are each attached at one end electrically to the sensor circuit 34 of the radio 16 and mechanically to the garment 12". In paragraph 0024 Marmoropoulos further explains that when the cords 40 and 42 are stretched the volume of sound is increased or decreased.

The referenced paragraphs and Figures and the rest of Marmoropoulos do not disclose an area for converting a mechanical interaction or an actuator for converting the mechanical interaction with that area. As was argued in the response to the previous Office Action page 4, lines 5-8 of the specification describes the functioning of the actuator 30 as follows (emphasis added):

The textile construction 1 preferably also has an actuator 30 cooperative with the one or more areas of conductive elastomeric material 20 to translate and/or communicate any interaction or user input to the conductive elastomeric material 20.

Further, the penultimate paragraph of the specification states that the textile construction includes a garment 40 and a user interface 10. The user interface 10 includes a conductive elastomeric material 20, an actuator 30, and markings describing functions of an electronic device (see, page 8, lines 1-15 of the specification).

Smela is cited to reject dependent claims and Asher does not remedy the above discussed deficiencies of Marmoropoulos.

It is respectfully submitted that claim 1 is not anticipated or made obvious by the teachings of Marmoropoulos and Asher. For example, Marmoropoulos and Asher do not disclose or suggest, amongst other patentable elements, a textile construction comprising (illustrative emphasis added) "a conductive elastomeric material including at least one area for converting a mechanical interaction therewith into at least one electronic signal related to the at least one area of the conductive elastomeric material; an actuator for converting the mechanical interaction with the at least one area of the conductive elastomeric material", as recited in claim 1.

Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Smela and Daum and notice to this effect is earnestly solicited. Claims 2-9 and 21-31 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position, or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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